REVISED EXHIBIT L

U.S. Patent No. 6,681,261			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
1 & 7	**"data signal bus including a plurality of signal lines" and "signal bus"**	**PROPOSED CONSTRUCTION:** A structure made up of one or more wires that forms a common distribution channel for signals and/or data to be distributed to multiple components that are connected in parallel on the bus and that do not form part of the signal path. **INTRINSIC EVIDENCE** • *See* 12:14-44; Fig. 1 and accompanying text. **EXTRINSIC EVIDENCE** • *See* '864 File History at Apr. 24, 1996 Appeals Brief at 5-8; '864 File History at Feb. 23, 1994 Response to Office Action at 3-4, 5-6. • Gilbert Held, Dictionary of Communications Technology (1998): **backplane bus** A collection of electrical wiring and connectors that interconnect modules inserted into a computer system or other electronic device • Gilbert Held, Dictionary of Communications Technology (1998): **Bus, buss** 1. In general, a data path shared by many devices such as the input/output bus in a computer. 2. In LAN technology, a linear network topology (a diagram is included showing the linear network topology). • Xerxes Mazda and Fraidoon Mazda, The Focal Illustrated Dictionary of Telecommunications (1999): **bus:** A data	**PROPOSED CONSTRUCTION:** "one or more wires that form a common distribution channel assigned to transmit data signals supplied by ports connected in parallel and that do not form part of the signal path" **EVIDENCE:** ● '261 Patent at Abstract, Figs 1, 2, 3, 6, 7, 8, 12 and associated disclosures. Col. 5:40-6:6; Col. 6:7-25; Col. 12:14-40; Col. 13: 48-52. ● '864 Prosecution History (US Pat. No. 6,275,864), Appeal Brief dated April 22, 1996. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

REVISED EXHIBIT L

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		channel which is shared by several users. This is normally a physical *link* connecting several devices and it be made from copper or *optical fibre*. A bus can connect different cards within a piece of equipment (e.g. backplane bus) or it can connect several pieces of equipment on a *network* (e.g. *LAN*). • Martin H. Weik, DSc., Communications Standard Dictionary (1989): **bus 1.** One or more *conductors* that serve as a common *connection* for a related group of devices. • Mitch Tulloch and Ingrid Tulloch, Microsoft Encyclopedia of Networking 193-95 (2002) • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	
1, 12	**"programmable switching mechanism"**	**PROPOSED CONSTRUCTION:** A software controlled mechanism for configurably connecting the components of a local area network. **INTRINSIC EVIDENCE** • *See* 3:4-25; 5:9-17; 6:25-34; 7:4-34; 62-8:8; 19:10-61; 23:40-25:53; Figs. 1 and 17 and accompanying text.	**PROPOSED CONSTRUCTION:** "a software controlled mechanism for configurably connecting components" **EVIDENCE:** ● '261 patent: Col. 3:4-9; Col. 5: 8-17; Col. 5:40- 6:6; Col. 7: 4-44; Col. 15: 27-67; Figures 2, 6, and 12 and associated disclosures. ● Testimony by experts called by Sun,

REVISED EXHIBIT L

U.S. Patent No. 6,681,261			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
		EXTRINSIC EVIDENCE • *See* '864 File History at May 11, 1995 Response to Office Action at 3-4; '864 File History at Apr. 24, 1996 Appeals Brief at 2-4, 12-13; '864 File History at Apr. 24 1996 Amendment After Final at 2. • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on an evidence identified by Sun.	including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
7, 12	**"wiring manager"**	**PROPOSED CONSTRUCTION:** A component that handles switching functions and the configuration of network nodes into a logical network. **INTRINSIC EVIDENCE** • *See* 1:52-63; 1:66-2:11; 3:4-25; 4:28-5:40; Fig. 1 and accompanying text. **EXTRINSIC EVIDENCE** • *See* '864 File History at Apr. 24, 1996 Appeals Brief at 2-4. • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent.	**PROPOSED CONSTRUCTION:** "a component that handles switching functions and the configuration of a network" **EVIDENCE:** ● '261 patent: Abstract; Col. 4:31-35; Col. 5: 40 – 7: 60; Figs 1-5 and associated disclosures. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

REVISED EXHIBIT L

U.S. Patent No. 6,681,261			
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		• NetApp reserves the right to rely on any evidence identified by Sun.	
2, 3, 5, 6, 10	**"matrix switch"**	**PROPOSED CONSTRUCTION:** A switching mechanism that enables the transmission of messages from any one of its inputs to any one or more of its outputs. **INTRINSIC EVIDENCE** • *See* 1:66-2:11; 2:47-3:3; 5:9-16; 5:41-7:60; 13:33-53; Figs. 2-4 and accompanying text **EXTRINSIC EVIDENCE** • *See* '864 File History at Apr. 24, 1996 Appeals Brief at 2-4, 9-10 • Nathan J. Muller, Desktop Encyclopedia of Voice and Data Networking, 341 (2000). • Gilbert Held, Dictionary of Communications Technology (1998): **matrix switch** A device that allows any input to be cross-connected to any output. • Mitch Tulloch and Ingrid Tulloch, Microsoft Encyclopedia of Networking 746-47 (2002). • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "a switch electrically coupling ports." **EVIDENCE:** ● '261 patent: Col. 2: 49- 3:3; Col. 5:8-17; Col. 6: 7-Col. 7: 60; and FIGs 2-6 and associated disclosure. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

REVISED EXHIBIT L

U.S. Patent No. 6,681,261			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
5, 10	**"register"**	**PROPOSED CONSTRUCTION:** A high speed device that temporarily stores a small amount of data. **INTRINSIC EVIDENCE** • *See* 2:57-60; 7:4-60; 17:3-22; Figs. 6 and 9-10 and accompanying text. **EXTRINSIC EVIDENCE** • *See* '864 File History at Feb. 23, 1994 Response to Office Action at 4. • Microsoft Press Computer Dictionary (1991) **register** A small, named region of high-speed memory located within a microprocessor or any electronic device capable of storing binary data. A register is usually large enough to hold only a few bytes of information and is reference in programs by a name such as AX or SP. It is used as a holding area for specific, sometimes critical, pieces of data or information related to activities going on within the system. For example, a register might be used to hold the results of an addition operation or to hold the address of a particular location in the computer's memory. • Vocabulary for Data Processing, Telecommunications, and Office Systems (1981) **register.** (1) (ISO) A storage device, having a specified storage capacity such as a	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "a storage element." **EVIDENCE:** ● '261 patent: Col. 2: 60-64; Col. 6:44 – 7:60; Col. 15: 6 – 17:22; FIGs 8, 9, 10, 11, and 15 and associated disclosures. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

REVISED EXHIBIT L

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Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
		bit, a byte, or a computer word, and usually intended for a special purpose. • Donald D. Spencer, The Illustrated Computer Dictionary (1986) **register (R)** High-speed device used in a central processing unit for temporary storage of small amounts of data or intermittent results during processing. • Frank Hargrave, Hargrave's Communication Dictionary (2001) **register (1)** A type of memory used to store active data, control information, or status information. Various bits in the register may be read-write, read only, or write only. (not all bits in the register need be the same type of memory). Registers are very fast compared to conventional random access memory (RAM) in a computer: typically two registers can be read and a third written (all in a single machine cycle). RAM memory, in contrast, may require several machine cycles for a single access. Typically, only a few registers are associated with a central processing unit (CPU); in contrast, there are millions of words of main memory (RAM. Computers typically contain a variety of registers. General-purpose registers, on the other hand, perform special functions, such as hold the instruction being executed, the address of a storage location, or data being	

REVISED EXHIBIT L

U.S. Patent No. 6,681,261			
Claim No(s).	**Claim Term**	**NetApp's Proposed Construction and Supporting Evidence**	**Sun's Proposed Construction and Supporting Evidence**
		retrieved from or sent to storage. • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	
6, 7	**"passive backplane"**	**PROPOSED CONSTRUCTION:** An electronic circuit board with no active components but having at least one "data signal bus" (as construed herein) and circuitry and sockets into which additional electronic devices on other circuit boards or cards can be plugged. **INTRINSIC EVIDENCE** • *See* 2:12-17; 3:4-25; 4:44-56; 5:41-62; 11:45-51; 12:13-13:23; 13:25-32; Fig. 1 and accompanying text. **EXTRINSIC EVIDENCE** • *See* '864 File History at Feb. 23, 1994 Response to Office Action at 5-6. • Gilbert Held, Dictionary of Communications Technology (1998): **backplane bus** A collection of electrical wiring and connectors that interconnect modules inserted into a computer system or other electronic device. • Xerxes Mazda and Fraidoon Mazda, The Focal Illustrated Dictionary of	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "a circuit board having conductors to transmit signals supplied by ports." **EVIDENCE:** ● '261 patent: Abstract; Col. 3:12-25; Col. 4: 44-56; FIGs 1 and 2 and associated disclosures. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.

REVISED EXHIBIT L

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		Telecommunications (1999): **backplane:** Usually refers to the *hardware* of a piece of equipment into which the individual cards plug, and which carries the *signals* between the cards. • Dictionary of Compting, Oxford Press, (1986) **backplane** A hardware device that may be considered as the physical "plane" by means of which a computer or similar device communications with its various peripherals. Normally a backplane consists of a series of multiway sockets that are wired in parallel and are connected to the internal wiring or *buses, of the computer. Peripherals may then be attached to the computer simply by inserting compatible interface cards into any one of these sockets. • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	
6	**"selectively connectable"**	**PROPOSED CONSTRUCTION:** The module, though physically connected to the backplane, can be removed from the signal path. **INTRINSIC EVIDENCE** • *See* 16:30-57; 22:40-51.	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "programmably connectable."

REVISED EXHIBIT L

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		• NetApp reserves the right to rely on any evidence identified by Sun. **EXTRINSIC EVIDENCE** • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	**EVIDENCE:** ● '261 patent: Col. 2: 14-35; Col. 5: 40 –7:60; Figs 1-5 and associated disclosures. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.
7	**"local area network status information"**	**PROPOSED CONSTRUCTION:** Information regarding the status of the network hub and its components, including information regarding network speed, operability of network components, network configuration, etc. **INTRINSIC EVIDENCE** • U.S. App. 07/744,295 **EXTRINSIC EVIDENCE** • Dr. Anthony Acampora may testify concerning the meaning of this term to one of skill in the art in the context of its use in the '630 patent. • NetApp reserves the right to rely on any evidence identified by Sun.	**PROPOSED CONSTRUCTION:** Sun contends this term does not require construction because the term is clear on its face. However, if the Court decides the construe this term, the term should be construed to mean: "information relating to a LAN." **EVIDENCE:** ● '261 patent: Col. 4: 8-13; US Application Ser. No. 07/744,295, filed on August 13, 1991, now abandoned and incorporated by reference; FIG. 1 and associated disclosure. ● Testimony by experts called by Sun, including Dr. Levy, concerning the meaning of this term to one of skill in the art in the context of its use in the '261 patent. ● Sun reserves the right to rely on any evidence identified by NetApp.